IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital the April 7th, 2006
Criminal Misc. Bail Application No. 204 of 2006
Order on the bail application of accused

CRIMINAL SIDE

Bishan Ram S/o Nain Ram
R/o village jaulgaon, Patwari Kshetra Bilkhet
Tehsil & District Bageshwar ..Applicant

Versus

State of Uttaranchal ..Opposite Party.

Arising out of Case of Crime No. 1 of 2006
Under Section 302 IPC
Patwari Kshetra Bilkhet
District Bageshwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Ganesh Kandpal learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The case rests upon the circumstantial evidence. The name of the accused was nominated in the FIR on the basis of the suspicion. There is only last scene evidence against the applicant. It was contended on behalf of the applicant that the applicant and the deceased went together from the house of the deceased. Thereafter, the applicant-accused came to the house of the deceased and inquired about the deceased. The applicant stated to family member of the deceased that he went to take liquor, but he did not return. Thereafter, the search was made and it was found that the deceased died. It was further contended that there is no eye-account of the alleged incident. Considering the facts and circumstances of the case, it is a fit case of bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated 07.04.2006
LSR